



State of California

OFFICE OF THE INSPECTOR GENERAL

MATTHEW L. CATE, INSPECTOR GENERAL

FOR IMMEDIATE RELEASE

March 1, 2005

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Inspector General uncovers fraud caused by lax controls at the Board of Prison Terms

A foreign language interpreter was sentenced today for repeatedly filing false claims with the state Board of Prison Terms and receiving payment without being detected. An investigation by the Office of the Inspector General found that Estella Gaines submitted 261 fraudulent claims over a three-year period between August 2000 and June 2003, for which she received \$11,862. The Board of Prison Terms paid the claims even though many of them were duplicates of invoices the board had already paid. The claims also significantly overstated both travel expenses and hours worked.

Gaines was prosecuted by the San Diego District Attorney's Office and pleaded guilty to felony grand theft. She was sentenced today to 160 hours of community service, probation, and a 120-day suspended jail term. She was also ordered to pay the state and San Diego County full restitution.

After investigators uncovered the fraud, the Office of the Inspector General conducted a special review of the procedures used by Board of Prison Terms to retain and pay interpreters for services provided at parole hearings. That review, released today, found that the board routinely pays invoices from interpreters without checking to make sure services were actually provided or whether the bill has already been paid. The review noted that the board also does not fully specify in writing the terms of the agreement when it arranges for interpretation services.

"The failure of the Board of Prison Terms to exercise proper fiscal controls potentially opens up the state to thousands of dollars in fraudulent claims," said Inspector General Matthew L. Cate.

The board conducts almost 40,000 parole hearings a year. Many of the hearings require the use of foreign language interpreters to enable participants to understand and take part in the proceedings.

The Board of Prison Terms reported that it spent \$360,000 on interpretation services in fiscal year 2003-04, paying 57 interpreters for services provided at 911 parole hearings. The interpreters work for the board as private vendors and bill afterward for the services provided.

Inspector General Cate said his office has presented a list of recommendations to remedy the problems identified in the special review. Cate reported that the Youth and Adult Correctional Agency has concurred with the Inspector General's findings and has agreed to implement a plan to address the issues.

The Board of Prison Terms, California's adult parole board, is responsible for conducting hearings to grant or deny parole to inmates serving indeterminate sentences and to determine whether parolees who have violated parole conditions should be returned to prison. It also conducts certification and placement hearings for mentally disordered offenders and helps screen inmates for possible civil confinement as sexually violent predators.

The board is made up of nine commissioners, who travel to the state's prisons to conduct parole consideration hearings for inmates serving indeterminate sentences. Deputy commissioners also serve on hearing panels for indeterminate sentence inmates and conduct parole revocation hearings as well as hearings for mentally disordered offenders and sexually violent predators.

The Office of the Inspector General is an independent state agency responsible for oversight of California's correctional system, including the Board of Prison Terms, the California Youth Authority and the Department of Corrections. The office audits and investigates correctional agencies under the Youth and Adult Correctional Agency to identify criminal conduct, poor management, waste, fraud, and abuse. The special review of the Board of Prison Terms was conducted under the authority provided to the Inspector General by California Penal Code section 6126.

The full text of the Inspector General's special review of the Board of Prison Terms interpretation services procedures can be viewed and downloaded from the Office of the Inspector General's website at <http://www.oig.ca.gov/>.